

UNITED STATES DISTRICT COURT

middle for the
~~Western~~ District of Tennessee
middle
~~Eastern~~ Division

FILED
OCT 21 PM 2:10
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TN

Dean William Loy and Dean William Loy on behalf of
Noah Keith McCutchen

Case No.

3-24cv-1257
(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint.
If the names of all the plaintiffs cannot fit in the space above,
please write "see attached" in the space and attach an additional
page with the full list of names.)

-v-

Brian McCutchen and Sharon McCutchen
Stewart County Chancery Court

David Wolfe
Larry Wallace

Defendant(s)

(Write the full name of each defendant who is being sued. If the
names of all the defendants cannot fit in the space above, please
write "see attached" in the space and attach an additional page
with the full list of names.)

Jury Trial: (check one) ☐ Yes ☒ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Dean William Loy
Street Address	2955 Point Pleasant Rd
City and County	Buchanan, Henry
State and Zip Code	TN 38222
Telephone Number	731-571-5559
E-mail Address	deanw38222@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Brian McCutchen
Job or Title <i>(if known)</i>	Superintendent for a park
Street Address	743 Center Point Road
City and County	Dover Stewart
State and Zip Code	TN 37058
Telephone Number	931-305-9205
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	Sharon McCutchen
Job or Title <i>(if known)</i>	In school suspension at an Elementary school
Street Address	743 Center Point Road
City and County	Dover Stewart
State and Zip Code	TN 37058
Telephone Number	812-830-8608
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	Stewart County Chancery Court <i>David Wolfe</i>
Job or Title <i>(if known)</i>	<i>Judge</i>
Street Address	225 Donelson Pkwy
City and County	Dover Stewart
State and Zip Code	TN 37058
Telephone Number	931- 232-5665
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	<i>Larry Wallace</i>
Job or Title <i>(if known)</i>	<i>Judge</i>
Street Address	<i>225 Donelson Pkwy</i>
City and County	<i>Dover Stewart</i>
State and Zip Code	<i>TN 37058</i>
Telephone Number	<i>931-232-5665</i>
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Fourteenth Amendment section 1

Federal Libel Law 28 U.S. Code § 4101 Libel, Slander and Defamation

The restraining order violates the Due Process Clause under the Fourteenth Amendment and 6th amendment to know what the charges and evidence is against me.

Under the 8th amendment its cruel and unusual to deny Noah and I are legal rights.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* _____, is a citizen of the
State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____. Or is a citizen of
(foreign nation) _____.

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

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Federal Libel Law 28 U.S. Code § 4101

Civil rights protections for sexual orientation

Title 5 Chapter VI Part 1690 Subpart B § 1690.1 conservator ship

false Imprisonment

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the
State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____ . Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name), is incorporated under
the laws of the State of (name), and has its
principal place of business in the State of (name).
Or is incorporated under the laws of (foreign nation),
and has its principal place of business in (name).

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

1. Restraining order against me Dean W Loy. I was never served by Stewart County and never received a hearing. Never committed any kind of crime. Noah's signature isnt on the order of protection that was dismissed May 24, 2024 or this restraining order.
2. Brian and Sharon McCutchen obtained the conservatorship over Noah thru false statements. Danial Burns isn't a psychologist. Cheri Grieve isnt a dr. They took his rights away based on Noah and I having a gay relationship. They are using it as a weapon against Noah rather than for his protection. They have taken his right to communicate away.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

1. Dismiss restraining order
2. Dismiss conservator ship or let Noah decide who his conservator should be under TCA 34-3-106
3. refuse to sequester Noah and let him sit in the court where he chooses.
4. punitive and exemplary damages of \$100,000. for libel.

Statement of Claim

1. Dismissal of order of protection found no legal grounds for. Attachment 1-A

Brian McCutchens attorney is upset I met Noah at the library after she got this order on me. I was not served the order till April 2024 and as you can see from attachment 1-B it says its not in effect till officially served. The Sheriff who was stalking Noah and I never drove across the street and mentioned anything. The U S Justice Dept. told me there was a no contact order for Stewart County Sheriffs Office in effect. So I used my van that day. All other visits were done in rental cars to not raise alarm that Noah and I were still seeing each other at the library. I was not aware we were being stalked till I used my van. I have a lot of people working on this giving me information on what to do or not do. I was not aware of the restraining order till I sued the McCutchens in small claims court in Henry County on Sept 30, 2024. Where their attorney told the judge I had it and I told her I didn't know about it. Their attorney accused me of using the suit to communicate with Noah and the judge dismissed it without hearing my case. Another example of the Libel and defamation against me. Restraining order attachment 1-C.

2. Libel, Defamation, and Slander

Petition for order of protection attachment 2-A Calling our relationship inappropriate. My legal friends say they are calling me a pedophile. We are 2 consenting adults over the age of 18 and met on a dating app designed for men who like older men. They took Noah's words and twisted them around to suit their agenda. Calling my statements irrational. They shouldn't be involved in our adult relationship. I tried talking to his father to ease his mind and give him my ID. Everything out in the open. These people even tried taking my parents horses cause they thought they belonged to me. Around the time of this filing. We found one of our horses had been shot. Police report on file with the Henry County Sheriffs office. I'm asking the court that the McCutchens pay for all my court cost, lawyer fees and taxes for this harassment.

3. On the conservatorship, It was done thru fraud. A relationship isn't legal grounds to take his rights away. In Attachment 3-A it says the reason for conservatorship. No where does it say it was due to finance management or medical needs. The rights of the Individual according to TCA 34-1-26 are being violated by his co-conservators. How can you drive a car and vote but can't use a phone to call or text for help?
4. Danial Burns isn't a psychologist. He was an acting psychologist according to Stewart County Schools. He list he has a license for education but TN Dept of Education says it doesn't exist. This guy was a fraud. Attachment 4-A. His mother was a retired teacher there and that's how he got the job from the looks of Attachment 4-A
5. Noah's actual doctors refused to let them take his rights away. LeighAnn Lockwood, NP and Andrea Flowers LPC-MHSP Attachment 5-A and 5-B
6. Cheri Grieve, isn't a doctor either. As said by a sworn report. She did a Psychological Evaluation on Nov. 9, 2023. In her Diagnostic Impressions no where does it say he needs a conservatorship. Nor was one done till his parents found out he is in a committed gay relationship. I contacted her and she told me she doesn't examine patients for conservatorships. Her statement was notarized in Warren County, KY AKA Bowling Green. His parents had to drive 90 miles to find somebody to take their sons rights away. These people are evil. Attachment 6-A. The initials she signs after her name I was unable to verify. She was really nice on the phone so I didn't push her for more info.
7. According to the American Society of Notaries, your not suppose to be notarize if you have an interest in the transaction. Most of these documents were notarized by the McCutchen's attorney Andrea Craig.

8. I asked for all records on Noah and I from the Stewart County clerks office on Feb. 15, 2024. It is stamped Feb. 22, 2024. Had they sent me all the records then I could have argued all this then . In the 30 days TN gives to make a motion. It wasn't till I made a 2nd request in Sept. that they finally sent me all the files. Attachment 8-A
9. I contacted District Attorney Ray Crouch's office after I discovered the McCutchens used fraud to take their sons rights away. He told me to contact Stewart County Sheriffs Office and request a formal investigation. I did that on Sept. 30, 2024 and officer Paige refused to do so. Said the case was closed. The McCutchens and Sheriff Frankie Gray attend the same church.

V. Certification and Closing

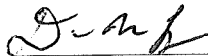
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/14/2024

Signature of Plaintiff



Printed Name of Plaintiff

Dean W Loy

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address